

MINUTES

MONTANA SENATE 62nd LEGISLATURE - REGULAR SESSION

COMMITTEE ON BUSINESS, LABOR, AND ECONOMIC AFFAIRS

Call to Order: Chair Joe Balyeat, on January 28, 2011 at 9:00 A.M., in Room 422
Capitol

ROLL CALL

Members Present:

Sen. Joe Balyeat, Chair (R)
Sen. Verdell Jackson, Vice Chair (R)
Sen. Tom Facey (D)
Sen. Frederick "Eric" Moore (R)
Sen. Carmine Mowbray (R)
Sen. Donald J. Steinbeisser (R)
Sen. Sharon Stewart-Peregoy (D)
Sen. Mitch Tropila (D)
Sen. Gene Vuckovich (D)

Members Excused: Sen. Bruce Tutvedt (R)
Sen. Jonathan Windy Boy (D)

Members Absent: None

Staff Present: Linda Keim, Committee Secretary
Pat Murdo, Legislative Branch

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted: SB 221, 1/26/2011; SB 223, 1/26/2011
Executive Action on: SB 168 Tabled; SB 221 Do Pass; SB 201, Do Pass; SB 29, Do
Pass As Amended

00:02:00 Chairman Balyeat
00:02:05 Pat Murdo, LSD

EXECUTIVE ACTION ON SB 201

00:02:21 **Motion:** Sen. Jackson moved that **SB 201 DO PASS.**

Discussion:

00:02:40 Chairman Balyeat
00:02:45 Sen. Jackson
00:03:11 Sen. Moore
00:03:49 Sen. Facey
00:05:05 Sen. Mowbray
00:05:40 Sen. Stewart-Peregoy
00:07:21 Chairman Balyeat

00:09:50 **Vote:** Motion carried 6-5 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Tropila, Sen. Vuckovich and Sen. Windy Boy voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

00:11:15 Sen. Facey
00:11:24 Chairman Balyeat
00:11:40 Sen. Facey
00:12:06 Chairman Balyeat

EXECUTIVE ACTION ON SB 168

00:12:13 Chairman Balyeat

00:12:20 **Motion:** Sen. Facey moved that **SB 168 DO PASS.**

Discussion:

00:12:40 Ms. Murdo
00:12:46 Chairman Balyeat
00:13:00 Sen. Facey
00:13:30 Sen. Tropila
00:13:55 Sen. Facey
00:15:00 Sen. Moore
00:15:47 Sen. Jackson
00:17:47 Sen. Facey
00:17:58 Ms. Murdo
00:18:28 Sen. Facey
00:18:36 Chairman Balyeat
00:21:02 Sen. Tropila
00:21:17 Sen. Jackson
00:22:23 Chairman Balyeat
00:22:58 Sen. Tropila
00:23:34 Sen. Mowbray

00:24:36 Chairman Balyeat
00:26:16 Sen. Stewart-Peregoy
00:30:34 Chairman Balyeat

00:30:43 **Vote:** Motion failed 5-6 by roll call vote with Sen. Facey, Sen. Stewart-Peregoy, Sen. Tropila, Sen. Vuckovich and Sen. Windy Boy voting aye. Without objection, Chairman Balyeat moved to reverse vote and TABLE.

EXECUTIVE ACTION ON SB 29

00:32:06 **Motion:** Sen. Vuckovich moved that **SB 29 DO PASS**.

00:33:06 **Motion:** Sen. Vuckovich moved that **SB 29 BE AMENDED**.
[EXHIBIT\(bus22a01\)](#)

Discussion:

00:33:38 Sen. Tropila
00:33:44 Ms. Murdo
00:34:50 Chairman Balyeat
00:35:52 Ms. Murdo
00:36:28 Sen. Facey
00:36:57 Chairman Balyeat
00:36:59 Ms. Murdo
00:37:55 Sen. Tropila
00:38:11 Chairman Balyeat

00:38:14 **Vote:** Motion carried 10-1 by voice vote with Sen. Windy Boy voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

00:38:39 **Motion:** Sen. Facey moved that **SB 29 DO PASS AS AMENDED**.

Discussion:

00:39:00 Sen. Jackson
00:39:15 Chairman Balyeat
00:41:06 Sen. Facey
00:42:20 Ms. Murdo
00:43:14 Sen. Facey
00:43:18 Chairman Balyeat
00:44:09 Sen. Vuckovich
00:44:32 Sen. Facey
00:44:51 Chairman Balyeat
00:45:22 Sen. Vuckovich
00:45:42 Sen. Tropila
00:46:24 Sen. Facey
00:46:27 Sen. Mowbray

00:47:33 **Motion:** Sen. Mowbray moved that **SB 29 BE AMENDED**.
[EXHIBIT\(bus22a02\)](#)

Discussion:

00:47:52 Ms. Murdo
00:49:36 Chairman Balyeat
00:49:47 Ms. Murdo
00:50:07 Sen. Mowbray
00:50:38 Chairman Balyeat
00:50:46 Sen. Vuckovich
00:51:03 Sen. Mowbray
00:51:28 Sen. Moore
00:52:14 Chairman Balyeat

00:52:17 **Vote:** Motion failed 5-6 by roll call vote with Sen. Balyeat, Sen. Facey, Sen. Jackson, Sen. Mowbray and Sen. Tutvedt voting aye. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

00:53:33 **Vote:** Motion carried 6-5 by roll call vote with Sen. Balyeat, Sen. Moore, Sen. Steinbeisser, Sen. Tutvedt and Sen. Windy Boy voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

00:55:00 Recess
01:03:39 Resume

01:03:50 Chairman Balyeat

HEARING ON SB 221

Opening Statement by Sponsor:

01:04:11 Sen. Kim Gillan (D), SD 24, opened the hearing on SB 221, Provide waiver for accountable care organizations in HMO laws.

Proponents' Testimony:

01:06:29 Mike Foster, Catholic Hospitals in Montana; also speaking for St Peter's Hospital in Helena, Benefis in Great Falls, Bozeman Deaconess in Bozeman, and Billings Clinic in Billings

Opponents' Testimony: None

Informational Testimony:

01:09:28 Jesse Laslovich, Office of Commissioner of Insurance

Questions from Committee Members and Responses:

01:10:07 Sen. Facey
01:12:03 Mike Foster, Catholic Hospitals
01:12:24 Sen. Moore
01:12:45 Mr. Laslovich

01:13:00 Chairman Balyeat, without objection, redirect
01:13:05 Tom Ebzery, representing St. Vincent, Holy Rosary, and St. James Hospitals

Closing by Sponsor:

01:15:52 Sen. Gillan
01:17:37 Chairman Balyeat

EXECUTIVE ACTION ON SB 221

01:17:56 **Motion:** Sen. Facey moved that **SB 221 DO PASS.**

Discussion:

01:18:06 Sen. Facey
01:20:13 Chairman Balyeat
01:20:28 Erin MacLean, self, without objection
01:22:12 Sen. Facey
01:22:31 Ms. MacLean
01:23:02 Sen. Moore
01:23:12 Chairman Balyeat, without objection, redirect to Mr. Foster
01:23:20 Sen. Facey
01:23:45 Sen. Moore
01:23:49 Mr. Foster

01:24:58 **Vote:** Motion carried 9-2 by voice vote with Sen. Moore and Sen. Steinbeisser voting no. Sen. Tutvedt and Sen. Windy Boy voted by proxy.

01:25:45 Chairman Balyeat
01:26:01 Sen. Facey
01:26:28 Ms. Murdo
01:26:52 Chairman Balyeat

01:26:55 Recess
01:55:10 Resume

01:55:25 Chairman Balyeat

HEARING ON SB 223

Opening Statement by Sponsor:

01:55:31 Sen. Ryan Zinke (R), SD 2, opened the hearing on SB 223, Revise volunteer firefighter pensions.

Proponents' Testimony:

01:58:09 Leonard Lundby, Chairman, Montana State Volunteer Firefighters Association

Opponents' Testimony: None

Informational Testimony:

01:58:46 Mike O'Connor, Public Employees Retirement Board (PERB)

Questions from Committee Members and Responses:

02:03:07 Sen. Facey
02:04:27 Mr. O'Connor, PERB
02:04:46 Chairman Balyeat
02:05:32 Mr. O'Connor
02:05:41 Sen. Mowbray
02:06:09 Mr. O'Connor
02:06:38 Sen. Jackson
02:08:27 Mr. O'Connor
02:08:42 Chairman Balyeat
02:09:12 Sen. Facey
02:09:15 Sen. Zinke
02:10:40 Chairman Balyeat
02:11:28 Mr. O'Connor
02:13:19 Sen. Facey
02:13:25 Sen. Zinke

Closing by Sponsor:

02:13:53 Sen. Zinke

02:14:26 Chairman Balyeat

ADJOURNMENT

Adjournment: 11:18 A.M.

Linda Keim, Secretary

lk

Additional Documents:

EXHIBIT([bus22aad.pdf](#))